IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANTHONY PEPICELLI,

Individually and on behalf of all others

Similarly Situated,

Plaintiff, **CIVIL ACTION** :

:

v.

INNOCOLL HOLDINGS PUBLIC LTD. No. 17-341

CO. et al.,

Defendants. :

JIANMIN HUANG,

Individually and on behalf of all others :

Similarly Situated,

: Plaintiff, : **CIVIL ACTION**

:

v.

INNOCOLL HOLDINGS PUBLIC LTD. No. 17-740

CO. et al.,

Defendants.

ORDER

AND NOW, this 25th day of April, 2017, upon consideration of Motion of Russel Bleiler, Ashok Chainani, Jianmin Huang, and Carl Bayney to Consolidate Related Actions, for Appointment of Lead Plaintiffs, and Approval of Lead Plaintiff's Selection of Counsel (Civil Action No. 17-341, Docket No. 4) and the lack of any response or opposition thereto, it is hereby **ORDERED** that the Motion (Civil Action No. 17-341, Docket No. 4) is **GRANTED** as follows:

- 1. The above-captioned cases, Civil Action Nos. 17-341 and 17-740, shall be consolidated. All parties are directed to file documents relating to Civil Action No. 17-740 under Civil Action No. 17-341.
- 2. The Clerk of Court shall transfer all documents filed under Civil Action No. 17-740 to Civil Action No. 17-341, and shall mark Civil Action No. 17-740 CLOSED for statistical purposes.
- 3. Should any other case related to the above-captioned cases be filed in the Eastern District of Pennsylvania, the parties shall notify the Court. Any such notification shall

include the parties' position(s) on whether consolidation of the related case would be appropriate.

- 4. Movants Russel Bleiler, Ashok Chainani, Jianmin Huang, and Carl Bayney are appointed as Lead Plaintiffs in this action.¹
- 5. Movants' selection of lead counsel is approved. The Rosen Law Firm shall serve as lead counsel for plaintiffs in this case.
- 6. No later than 30 days from the date of this Order, Lead Plaintiffs shall file an Amended Complaint.
- 7. Defendants shall respond to the Amended Complaint by no later than 45 days after it is filed. Should Defendants' response be a motion to dismiss, Lead Plaintiffs shall respond to the motion by no later than 30 days from the date the motion is filed.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
United States District Judge

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¹ Under the PSLRA, the Court should appoint as lead plaintiff the movant who "has either filed the complaint or made a motion in response to a notice; . . . in the determination of the court, has the largest financial interest in the relief sought by the class; and . . . otherwise satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure." 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I). Only Movants are seeking appointment as lead plaintiffs, and no opposition has been filed to their motion. The Court accepts Movants' representations that they have the largest financial interest in the relief sought by the class and that they satisfy Federal Rule of Civil Procedure 23's requirements of adequacy and typicality (at least for purposes of appointment of lead plaintiffs). In so doing, however, the Court observes that "largest financial interest" is a term that brings to mind the Parable of the Widow's Mite. What may seem like a numerically small loss could be much more significant in the context of a particular plaintiff's personal portfolio, such that looking solely at loss numbers without a broader perspective and context may not lead to the selection of the plaintiff who would most doggedly pursue relief in a given case.